

### **REMARKS/ARGUMENTS**

In response to the Final Office Action mailed on October 5, 2005, applicant has submitted an amendment to the claims to further define inventive features of the present invention that are set forth in the present application that are clearly distinguishable with respect to the newly cited reference to Bourguignon. For the reasons discussed below, reconsideration of the grounds for rejection and favorable consideration and allowance of this application is respectfully solicited.

Claim 19 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In this respect, the claim has been amended to overcome this grounds for rejection. Therefore, reconsideration and withdrawal of this grounds for rejection is requested.

Claims 1, 16 and 17 have been rejected under 35 U.S.C. 102(b) as being directly anticipated by the reference to Bourguignon, US Patent 2,941,272.

Claims 1-3,8 and 19 have been rejected under 35 U.S.C. 103(a) as being obvious in view of the teachings of the reference to Van Riesen, US Patent 4,809,409, when combined with the teachings of Bourguignon.

Claim 7 has been rejected under 35 U.S.C. 103(a) as being

obvious over the primary reference to Bourguignon when considered with the teachings of US Patent 3,605,210 to Lohr.

Claims 9 and 10 have been rejected under 35 U.S.C. 103(a) as being obvious in view of a combination of teachings of the primary reference to Bourguignon when considered in view of the teachings of Lohr and Matoba, US Patent 5,355,562.

Claims 11 and 12 have been rejected under 35 U.S.C. 103(a) as being obvious when considering the teachings of the primary references to Bourguignon, Lohr and Matoba and further in view of US Patent 2,153,077 to Clarke.

Claims 4-6 have been rejected as being obvious over a combination of the teachings of Bourguignon and Clarke.

The Examiner has indicated that the subject matter of claims 13-15 and 20 are directed to allowable subject matter and would be allowed if amended to include the subject matter of the base claim and any intervening claims. In this respect, the subject of claim 20 has been added to claim 16 however, the subject matter of claim 19, from which claim 20 originally depended has not been added to claim 16 as it is believed that the steps set forth in claim 19 are not necessary to define the method of claim 16 over the art. In view of the foregoing, it is believed claim 16 should now be in condition for formal allowance. Claim 1 has

been amended to define means for preventing the latching mechanisms from moving to their second release positions if inertial forces are applied that would tend to move that slide release mechanism to the second position thereof wherein the latching mechanisms would normally be moved to release the latch plate. It is believed that this feature of the invention is clearly distinguishable over the prior art and that therefore, claim 1 should be allowable.

The newly cited reference to Bourguignon discloses a safety belt buckle that includes a housing defining a pair of channels for receiving a pair of locking tongs associated with a latch plate. A pair of opposing latches are engageable with the tongs when in first outer locking positions and are biased to the locking positions by springs 24 that extend between the latches. Although not taught or recognized by the reference, the structure of the buckle is such that as a force is applied to one of the latches to move it inwardly to a second position to release the adjacent locking tong of the latch plate, the springs will exert an increased force to urge the opposite latch to its locked position.

In view of the foregoing, claim 1 has been amended to include the subject matter of claim 7 that is directed to

providing a longitudinally sliding slide release member having spaced projections for engaging and moving the latching mechanisms to their second release positions when the slide release member is manually moved inwardly of the housing and wherein means are provided to prevent such a release of the latching mechanism by an inertial force being applied to the buckle that would tend to move the slide release member to its second position to release the locking tongs of the latch plate.

There is no suggestion or teaching in the reference to Bourguignon of providing a slide release member having spaced projections that can be manually moved inwardly of a buckle housing to simultaneously move opposing latching mechanisms to release positions to permit withdrawal of a latch plate. Further, there is no teaching of including means for preventing an inertial force that is applied to urge the slide release member to its second release position from causing the movement of the latching mechanisms to their release position. With the present invention, not only are the opposite latching mechanisms urged so that a force applied to one to move it laterally to its release position applies a generally equal force to retain the other latching mechanism in its first locking position, but the latching mechanisms can only be completely moved to release

the locking tongs of the latch plate by manually moving the slide release member to its second release position and not by an inertial force.

Bourguignon does not recognize the need to prevent inertial forces from causing a premature release of the latch plate even though the structure disclosed therein would offset laterally applied forces that would act to drive one latching mechanism toward the other. However, with the present invention, wherein a slide release mechanism simultaneously engages the latching mechanisms to urge them together, means are also provided for preventing movement of the latching mechanisms to their release positions by inertial forces applied longitudinally of the buckle. In the preferred embodiment, a central tang on the latch plate moves between the latching mechanisms and obstructs their movement to their release positions when any inertial force is directed on the buckle that would tend to drive the slide release member to a position to release the latching mechanisms.

In view of the foregoing, it is respectfully submitted that both claims 1 and 16 are thus patentable over the reference to Bourguignon. Therefore, favorable consideration and allowance of these claims and the claims that depend therefrom is solicited.

It is respectfully submitted that none of the secondary

references suggest or disclose any structure for providing a slide release member having spaced projections for simultaneously moving the latching mechanisms to their release positions relative to a latch plate and wherein means are also provided to prevent release of the latch plate from the latching mechanisms in the event an inertial force is applied that would tend to move the slide release member to a position to release the latching mechanisms. Therefore, the various combination of references do not anticipate the inventions set forth in claims 1 and 16 and thus all currently pending claims should be allowable.

The reference to Van Riesen has been cited to show a buckle housing with a domed structure however, claim 8 has been further amended to recite that the domed portion of the cover or housing is adjacent the front of the housing. Such s structure is not anticipated by Van Riesen.

The references to Lohr and Matoba et al are believed to be distinguishable as set forth above as well as for the reasons discussed in applicant's response to the initial office actions.

The Examiner has combined the teachings of Matoba with Bouruignon to reject claims 9 and 10 with claim 9 being directed to the central tang feature for mechanically blocking the latching mechanisms from moving to their release positions to

allow the latch plate to be removed from the buckle housing. The Examiner has stated that Matoba discloses a latch plate having an intermediate tang 38 which would inherently prevent the latching mechanisms from moving to their second release positions. It is respectfully submitted that such an interpretation is contrary to the operative structure of the cited reference. The tang is merely provided to provide for the ejection feature disclosed within the reference. In this respect the Examiner's attention is directed to the discussion beginning at line 57 of column 5 of the reference wherein the operative features of the spring member in association with the projection 38 are clearly disclosed. Projection 38 does not provide a structure which would prevent the legs from allowing a release of the hooks 18 relative to the hooks 14 of the latch plate. The projection 38 is normally seated in engagement with and between the legs 26b of the spring element. Driving it further inwardly would not affect the operative features of the spring element as the legs 26b of the spring element are designed to flex inwardly toward one another. Further, the outer ends 26a thereof are only designed to provide a squeezing force to eject the latch plate from the buckle.

In view of foregoing, there is no structure which provides means for blocking, such as an intermediate tang of the latch

plate, to mechanically prevent movement of the latching mechanisms to their second release positions in the event that an inertial force is applied which would tend to drive a slide release member inwardly of the housing.

The reference to Clarke has been cited as disclosing use of angled and tapered faces between a latch plate and a locking tong. It is respectfully submitted that even if one combined such structure with the structure in Bourguignon, the resultant restraint assembly would not have the inventive features set forth above that distinguish the present invention over the prior art.

It is respectfully requested that this amendment after final be entered as placing this application in condition for formal allowance and in light of the indicated allowable subject matter set forth by the Examiner in the final office action. Further, the present amendment to the claims is necessitated to further define the invention over the newly cited reference to Bourguignon. Should the Examiner have any questions regarding this matter or the allowability of the claims, it is requested that the Examiner contact the undersigned attorney at the telephone number shown below.



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Respectfully submitted,

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